

Notice of Allowability

Application No.

10/015,258

Examiner

Robert M. Pond

Applicant(s)

GRAFF, RICHARD A.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Interview (#20051101), Amendment (2/15/2006), and Reasons for Allowance (20060916).
2. ☒ The allowed claim(s) is/are 1-27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 11/14/2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

REASONS FOR ALLOWANCE

Priority

The Applicant's evidence presented during the interview held on 01 November 2005 pertaining to reconsideration for granting priority was persuasive. The claimed subject matter is granted the filing date of 12 January 1994 of US 5,802,501 issued to the Applicant. Continuity of the subject matter was maintained in subsequent filings.

Allowed Claims

Claims 1-27 filed in an after final amendment on 15 February 2006 are entered into the record and are allowable over the prior art of record.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: The field of the invention pertains to systems and methods in finance as applied to fixed-income instruments.

Pertaining to method claims 1 and 2, no prior art of record discloses nor teaches and suggests inputting data associated with at least one price a buyer is willing to pay for at least one fixed income instrument in the buyer's computer via said input means and automatically computing a yield/discount rate based at least in part on the inputted data.

Closest US Patents

Silverman (US 5,136,501)

Silverman discloses an anonymous matching system for trading instruments whereby bids and offers are matched. Silverman does not disclose structures nor methods for computing a price or a yield/discount rate for fixed-income instruments. Silverman matches bids with offers as metered by credit status. Silverman fails to disclose computing a yield/discount. Silverman fails to further disclose maturities pertaining to a fixed-income instrument.

Silverman discloses securities in reference to prior art. By definition, securities may include bonds (i.e. fixed income instruments) but rejection under 35 USC 103(a) would destroy the reference since there are neither computational structures nor computational methods disclosed in Silverman for computing a yield/discount rate.

Wiseman (US 5,168,446)

Wiseman discloses a spot trading system for commodities. Like Silverman, Wiseman fails to disclose fixed-income instruments (i.e. bonds, treasuries) and the structures and methods for computing a yield/discount rate.

Closest Non-patent Literature

Schmerken discloses fixed-income instruments and plans for computerized trading systems but offers nothing specific pertaining to inputting data associated with at least one price a buyer is willing to pay for at least one fixed income instrument in the buyer's computer via said input means and automatically

computing a yield/discount rate based at least in part on the inputted data.

Schmerken further discloses Telerate (Wiseman as noted above) but offers no specifics to address the claimed subject matter.

Closest Foreign Literature

Ginsberg (EP 573991) discloses a system and method of providing a data index for the fixed-income market players but offers nothing specific pertaining to inputting data associated with at least one price a buyer is willing to pay for at least one fixed income instrument in the buyer's computer via said input means and automatically computing a yield/discount rate based at least in part on the inputted data.

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Pond whose telephone number is 571-272-6760. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Jeff Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service

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Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Robert M. Pond', written in a cursive style.

Robert M. Pond
Primary Examiner
September 17, 2006